

March 6, 2012

Commerce Committee
Room 110, Capitol Building
Hartford, Connecticut 06106

RE: Raised Bill No. 5341 – An Act Concerning Additional Business Rights Related to Zoning Enforcements

Ladies and Gentlemen of the Commerce Committee:

Municipal planners representing the towns and cities of the South Western Region of Connecticut write in opposition to *Raised Bill No. 5341*. The proposed legislation would place a tremendous burden on local planning and zoning departments, and interfere with the ability of municipalities to effectively conduct their permitting process in a manner that best serves its residents and business interests.

The issues that are evident within this legislation are as follows:

- Enactment of this legislation could adversely impact communities at large by allowing automatic approval of applications that do not comply with zoning regulations;
- The potential for an automatic approval stemming from failure to provide proper “guidance”, as proposed in this legislation, is high. To expect an inspector to outline every issue during a site inspection is unrealistic;
- This legislation in essence changes the basic function of a land use agency from regulatory to advisory;
- Planners also require sufficient time to be able to review plans, and must be given some flexibility to ensure that a single site inspection is not the lone opportunity available to conduct all essential reviews;
- The legislation requires walk-through inspections on demand for any business property and furthermore, requires official feedback. This function is advisory in nature and best left to private inspectional services. The field work stemming from this mandate would be enormous as people seek to obtain ironclad assurances;
- The legislation contains misuse of terminology by blurring the line between a building official which operates under the Connecticut State Building Code and a zoning enforcement official who is enabled under Section 8 of the Connecticut General Statutes.
- This legislation would be an unfunded mandate for municipalities forced to bear the burdens of adverse impacts that may result from automatic approvals and due to the increased work required of zoning officials.

We strongly appeal to the Connecticut General Assembly to oppose Raised Bill 5341 in order to protect municipalities’ ability to conduct their zoning enforcement process.

Very truly yours,

The South Western Region Municipal Planning & Zoning Directors:

Jeremy Ginsberg (Darien); Diane Fox (Greenwich), Steve Kleppin (New Canaan), Michael Greene (Norwalk), Norman Cole (Stamford), Tracy Kulikowski (Weston), Larry Bradley (Westport), Bob Nerney (Wilton)

Copies: The Hon. Scott Frantz, State Senator
The Hon. Chris Perone, State Representative
The Hon. Fred Camillo, State Representative
South Western Regional Planning Agency
South Western Region Metropolitan Planning Organization